

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOE MARTINEZ,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
LEADING EDGE RECOVERY SOLUTIONS,)	
)	
Defendant.)	

PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL

JOE MARTINEZ (“Plaintiff”), through his attorneys, KROHN & MOSS, LTD., alleges the following against LEADING EDGE RECOVERY SOLUTIONS. (“Defendant”):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

3. Defendant conducts business in the state of Illinois, and therefore, personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

5. Plaintiff is a natural person residing in the City of Las Vegas, Clark County, Nevada, and is obligated or allegedly obligated to pay a debt and is a "consumer" as that term is defined by 15 U.S.C. 1692a(3).

6. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

7. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation located in Chicago, Illinois.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant uses instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a "debt collector" as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

9. Beginning in approximately September 2010, Defendant constantly and continuously placed collection calls to Plaintiff seeking and demanding payment for an alleged debt.

10. Defendant called on an almost daily basis, multiple times per day.

11. Defendant regularly contacted Plaintiff up to three times per day.

12. Defendant contacted Plaintiff from its telephone number 888-306-1309.

13. Plaintiff is informed, believes, and thereon alleges, that the alleged debt in question relates to a consumer loan that he co-signed for.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

14. Plaintiff repeats, re-alleges and incorporates by reference all of the foregoing paragraphs.

15. Defendant violated the FDCPA. Defendant's violations include, but are not limited to the following:

- a. Defendant violated § 1692d of the FDCPA by engaging in conduct of which the natural consequence was the abuse and harassment of the Plaintiff; and
- b. Defendant violated § 1692d(5) of the FDCPA by causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass Plaintiff at the called number.

WHEREFORE, Plaintiff, JOE MARTINEZ, respectfully requests judgment be entered against Defendant, LEADING EDGE RECOVERY SOLUTIONS, for the following:

16. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, 15

U.S.C. 1692k;

17. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,

15 U.S.C. 1692k; and

18. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Adam T. Hill
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DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, JOE MARTINEZ, demands a jury trial in this case.

VERIFICATION OF COMPLAINT AND CERTIFICATION

(STATE OF ILLINOIS)

Plaintiff, JOE MARTINEZ, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JOE MARTINEZ, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

8/31/11

Date


JOE MARTINEZ